

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Claims 1, 5, 6, 9, 10, 15-18 and 20 are pending. Claims 1, 5, 6, 9, 15 and 18 being independent. By this Amendment, claims 1, 5, 6, 9, 15, 18 and 20 are amended.

Applicant appreciates the courtesies extended to Applicant's representative during the October 29, 2008 personal interview. The substance of the discussion is incorporated into the amendments and remarks herein and constitutes Applicant's record of the interview.

Applicant appreciates the indication that claims 1, 5, 6, and 16 are allowed.

The Office Actions rejects claim 15 under 35 U.S.C. § 102(b) over JP-50-124063 to Nigato; rejects claims 9, 10, 17 and 20 under 35 U.S.C. § 103(a) over JP-64069489 to Masumoto in view of U.S. Patent No. 5,975,249 to Tomaseti and rejects claim 18 under 35 U.S.C. § 103(a) over Matsumoto in view of EP 1 319 627 to Mitsui. These rejections are respectfully traversed.

Claim 9 recites, in combination with other claimed features, a wall portion is provided with a recess, the recess of the wall portion including a first recess provided in a first side face, and a second recess provided in a second side face. The first recess and the second recess project into an interior of a car. A car guide shoe is mounted on the car for engaging with a car guide rail. The car guide shoe is at least partially disposed in the recess. Such a feature encompasses Applicant's exemplary embodiment as illustrated in Fig. 2 wherein recesses 7a, 7b are formed in cage 6. Car guide shoes 20a, 20b are at least partially disposed in the recess 7a, 7b. See also Applicant's as-filed specification at the paragraph beginning at line 1 of page 9.

Masumoto does not disclose a first recess and a second recess projecting into an interior of the car. Instead, Masumoto discloses reinforcing members 25 which project from the outer surface of the side plates 22a of cab 22 increasing a width dimension of the cab. As shown in Figs. 2 and 3, the interior surface of the left side plate 22a is flat. The portion of Masumoto referred to by the Examiner as corresponding to the features of the first and second recesses, elements 23a of 23, are the car floor. The car floor does not define the interior space of the cab, nor does it correspond to the claimed side faces.

Claim 9 is amended to clarify the location of the recesses in the wall portion. In Masumoto, the guide shoes 27, 29 cannot be mounted in the space defined by the reinforcing member and therefore are mounted on the top and bottom of the cab. Thus, Masumoto does not disclose a recess of a wall portion including a first recess and a second recess that project into an interior of the car as in Applicant's claim 9.

The Office Action recognizes that the Masumoto does not disclose a guide shoe at least partially disposed in the recess. Applicant respectfully disagrees with the Office Action's assertion that Tomaseti overcomes the deficiencies of Masumoto. Tomaseti discloses back wall member 2, an opposite or second side wall 3 including a first narrow side wall member 5 and a second narrow side wall member 7. The wall members are secured to a vertical supporting frame member 8. The guide shoe 15 is disposed below each arresting device 21 at the lower end of the vertical supporting frame member 8. Thus, Tomaseti does not disclose a guide shoe partially disposed in a recess that is formed in a wall portion as in Applicant's claim 9. The combination of Masumoto and Tomaseti would not result in Applicant's claimed combination of features. Instead, a combination of Tomaseti and Masumoto would

result in the provision of supporting frame members 8 to a side plate of Masumoto with guide shoes 15 formed therein.

Independent claim 15 recites, in combination with other claimed features, the car provided with a suspending portion at which a main suspending member for suspending a car is connected, the suspending portion is disposed in a recess of a wall portion common to the car guide shoe. Such a feature encompasses Applicant's exemplary embodiment as illustrated in Fig. 14. First and second rope connecting portions 8a and 8b are provided in the first and second recesses 21a, 22b, respectively, on a vertical projection plane. As shown in Nigato in Figs. 3 and 4, cables 7c and 7d are connected at the portion having element No. 8 at a bottom side of the car. Thus, Nigato does not disclose a suspending portion, at which a main suspending member for suspending a car is connected, is disposed in the recess of a wall portion, common to the car guide shoe as in Applicant's independent claim 15.

Independent claim 18 recites, in combination with other claimed features, the first car guide rail and the second car guide rail have a pitch between car guide rail rear faces which is smaller than a car suspension pitch defined by the first suspending portion and the second suspending portion width direction of the car.

The Office Action recognizes that this feature is not disclosed by Matsumoto. Matsui discloses first and second main rope connection portions 9 and 10 having a pitch equal to the pitch of car guide rails 2. Thus, independent claim 18 is distinguishable over the Matsui reference.

The remaining dependent claims are allowable for at least the reasons discussed above as well as for the individual features they recite.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application, or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: November 12, 2008

By: 
Michael Britton
Registration No. 47260

Customer No. 21839
703 836 6620